



MEMO ENDORSED

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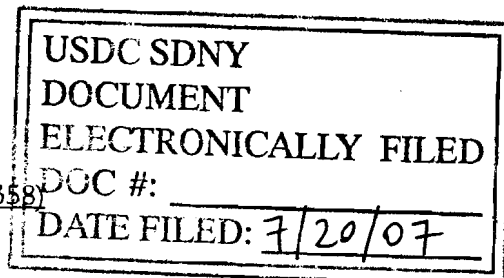
July 20, 2007

BY FACSIMILE

The Honorable Richard M. Berman
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Room 650
New York, NY 10007

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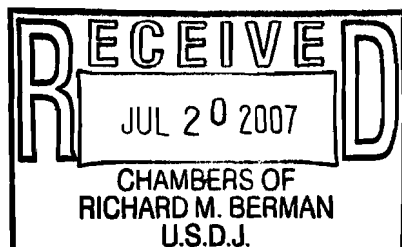
Re: Great White Bear, LLC v. Mervyns, LLC (06 CV 13358)



Dear Judge Berman:

We represent Defendant Mervyn's LLC in the above-referenced matter. This matter was referred to the Honorable Frank Maas for general pretrial matters, including discovery, on June 28, 2007. On Wednesday, July 18, 2007, the parties attended a conference before Magistrate Judge Maas at which Magistrate Judge Mass extended the fact discovery deadline to October 19, 2007. It was agreed at that conference that a settlement conference at this time would be premature. Magistrate Judge Maas indicated, however, that he planned to hold a settlement conference at a later date, likely towards the end of discovery, and he suggested we contact Your Honor regarding the settlement conference that Your Honor has placed on the calendar for July 27, 2007.

As both parties advised the Court this morning by phone, the parties respectfully request an adjournment of the settlement conference set for July 27, 2007 until a date following the settlement conference contemplated by Magistrate Judge Maas.



Respectfully submitted,

Lisa T. Simpson
Lisa T. Simpson

cc: Philip A. Byler, Esq. (By Facsimile and E-Mail)
Counsel for Great White Bear, LLC

